HONOURABLE SRI JUSTICE J.CHELAMESWAR
And
HONOURABLE SRI JUSTICE D.APPARAO

04-09-2006

WRIT PETITION No.18425 of 2006

Between:

Md.Chunnu Miya
.. Petitioner

And

1. The Deputy Transport Commissioner &
S.R.T., Attapur and another.

..Respondents

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ORDER: (Per JC, J)**:**

The petitioner claims to be a registered owner of the vehicle bearing Regn. No.AP13 3921, a lorry. The said vehicle was seized by the 2nd respondent-The Motor Vehicle Inspector, Sanga Reddy, on 09-08-2006 on the ground that the respondent noticing irregularities which are indicated in the Vehicle Check Report, which reads as follows:

> "Offences/Irregularities Noticed:
> 1) W/o RC 2) W/o Tax 3) W/o FC
> 4) W/o permit 5) W/o DL 6) W/o PUC
> 7) W/o IC
> seized under Section 8 of AMPV and under Section
> 207 of M.V.Act and kept at RTO Offfice, Sanga Reddy."

Hence, the present writ petition.

2. Heard the learned Government Pleader for Commercial Taxes.

3. In the circumstances, we are of the opinion that the writ petition can be disposed of at the stage of admission directing the respondents to release the vehicle bearing Regn. No.AP13U 3921 of the petitioner on condition that the petitioner pays the entire amount of tax due as may be determined by the 2nd respondent after giving an appropriate opportunity to the petitioner without prejudice to the authority of the respondents to take further appropriate action in accordance with law, if it is established in the enquiry that the petitioner did in fact fly the said vehicle without

complying the requirements of the law.

4. With the aforementioned direction, the writ petition is disposed of. No costs.

J.CHELAMESWAR, J

September 4, 2006. **D.APPARAO, J**

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